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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/823,166 | 04/13/2004 | Haruo Ura | NUMAP0101US | 3743 |
| 43076 | 7590 | 08/24/2006 | EXAMINER | |
| MARK D. SARALINO (GENERAL) RENNER, OTTO, BOISSELLE & SKLAR, LLP 1621 EUCLID AVENUE, NINETEENTH FLOOR CLEVELAND, OH 44115-2191 | | | | AKANBI, ISIKA O |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2877 | |

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------------|------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/823,166 | URA ET AL. | |
| | Examiner Isiaka O. Akanbi | Art Unit 2877 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 13 April 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-13 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 13 April 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>6 June 2005</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement file 13 April 2004 and 6 June 2005 has been entered and reference considered by the examiner.

Drawings

The examiner approves the drawings filed 13 April 2004.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Kalayeh et al. (6,822,742).

As regard to claim 1, Kalayeh discloses a laser measurement apparatus comprising of the following:

a plurality of laser beam generating means (220/240) for outputting laser beams having different characteristics;

a plurality of optical signal processing means (235) disposed so as to correspond to each of the laser beams for detecting the corresponding laser beam and carrying out a predetermined process and an optical path means (250/260/280) for guiding the laser beams output from the plurality of laser beam generating means via a common optical path to an object and for guiding the laser beams returning from the object via the common optical path to the optical signal processing means (figs. 1, 2 and 3).

As to claim 2, according to claim 1, Kalayeh discloses wherein the optical path means (250/260/280) includes an optical guiding means (270) and the laser measurement apparatus further comprising a control means (i.e. scanning means) for controlling the optical guiding means so as to guide the laser beams output from the plurality of laser beam generating means toward the object and to guide the laser beams returning from the object toward the plurality of optical signal processing means (235)(col. 8, line 15-23)

As to claim 3, Kalayeh discloses wherein the optical guiding means is a reflecting mirror (figs. 2 and 3) and the control means (i.e. scanning means) controls the reflecting mirror to reflect the laser beams output from the plurality of laser beam generating means toward the object and to reflect the laser beams returning from the object back toward the plurality of optical signal processing means (235)(col. 8, line 15-36).

As to claim 4, Kalayeh discloses wherein one of the plurality of laser beams having different characteristics is a laser beam used for tracking, and the optical signal processing means corresponding to this laser beam comprising an optical position sensing device (IMU)(fig. 4) and the control means (i.e. scanning means) controls the direction of the reflecting mirror so that the laser beams output from the plurality of laser beam generating means are reflected toward the object based on signals output from the optical position sensing device (col. 6, line 47-67)(col. 8, line 15-36).

As to claims 5-6 and 7-8, Kalayeh discloses wherein the plurality of laser beams (220/240) having different characteristics include plural laser beams for measuring distances according to different measurement scales (col. 6, line 47-col. 7, line 1-49), and the optical signal processing means (235) corresponding to each of the laser beams have photodetectors that detect the presence or absence of a beam that of a predetermined level and above, and outputs a signal corresponding to the presence or absence of such beam (col. 9, line 15-38) and the control means (450/520) computes a distance between the object and a reference position based on the output signals from each of the photodetectors (figs. 1, 2, 3, 4 and 5)(col. 9, line 40-67).

As to claims 9-10 and 11-13, Kalayeh discloses wherein the optical path means includes an optical fiber cable (710)(col. 13, line 35-36).

Additional Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references listed in the attached form PTO-892 teach of other prior art laser measurement apparatus that may anticipate or obviate the claims of the applicant's invention.

Conclusion

Fax/Telephone Information

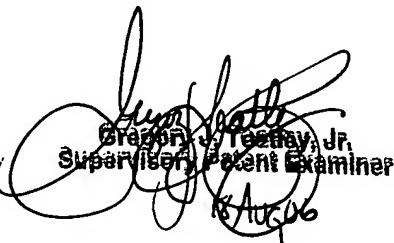
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isiaka Akanbi whose telephone number is (571) 272-8658. The examiner can normally be reached on 8:00 a.m. - 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley Jr. can be reached on (571) 272-2059. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Isiaka Akanbi

August 15, 2006



Gregory J. Toatley, Jr.
Supervisory Patent Examiner
15 AUG 06